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C O N F I D E N T I A L AMMAN 005182

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SUBJECT: FDW RECRUITING AGENTS, STRIKE FAILS

Classified By: Classified by Ambassador David Hale for
reasons 1.4 (b) and (d)

¶1. (U) Summary: The Ministry of Labor has opened a new Directorate tasked with improving the lot of Foreign Domestic Workers (FDW) in Jordan, who are usually brought here by licensed recruiting agencies. On June 1, some agencies led by the Recruiting Agents Association - went on strike to protest new GOJ regulations aimed at reforming their recruitment practices. The government did not respond to the strike, which ended June 17. End summary.

¶2. (U) Recruiting agencies have operated legally in Jordan for almost 20 years. Since 2003, they have been required to obtain a license from the Ministry of Labor. Note: The Ministry of the Interior issued licenses for the agencies previously. End Note. In response to Post's approaches over the past year on trafficking issues, the Ministry of Labor opened a new directorate on May 14 specifically charged with handling permit issuance and other issues related to FDW. This directorate provides services and a clearinghouse of information for the workers, the people who sponsor them, and the recruiting agencies. At the same time it issues work permits, the Directorate distributes a booklet to the FDWs alerting them to their rights (for example, the right to maintain possession of their travel documents). The Directorate also has a new, fully operational hotline available to both FDW's and employers should they have grievances.

¶3. (U) Currently there are 95 licensed and 5 unlicensed agencies in Jordan that recruit domestic workers. (In other work categories, individual firms or farms registered in Jordan are allowed to recruit manufacturing help, construction workers, or agricultural workers themselves, without resorting to recruiting agencies.) The relationship between the GOJ and the agencies was generally amicable until the new domestic worker regulations were introduced on June 15. Minister of Labor Bassem Salem told the Petra News Agency that the new regulations were issued to better regulate the employment of domestic workers, who in the past have alleged abuses such as unpaid wages and physical attacks.

¶4. (U) Recruiters complained that under the new domestic worker regulations, the fee for recruiting agency licenses doubled from JD 50,000 to JD 100,000 (about USD 140,000). The rules also stipulate that a sponsor must be identified, and that the approximately JD 300 fee for a one-year work permit be paid before a foreign domestic worker enters the country.

In the past, sponsors and workers had a probationary period before permit fees were due to the GOJ. Under the new regulations, if a worker arrives and is unsatisfactory to the sponsor, or vice versa, the permit fee is not refunded.

¶5. (U) The recruitment agencies have also complained that the new domestic worker regulations now stipulate that employment contracts be for a minimum of one year, and require a domestic worker to have only one sponsor and to work only for that sponsor. Agencies accordingly cannot assign a worker to multiple homes, as had been common practice until now. This requirement also eliminates the one-month probation period. Under the new regulations, if an FDW is not satisfied with his/her employer for one reason or other, the agency is required to pay a full repatriation fee, as opposed to letting the worker try out employment in another home, thus giving the worker another chance and potentially reducing expenses for the agency. Further, under the new rules the agencies are prohibited from supplying domestic employees to families seeking only temporary help for the busy summer season.

¶6. (U) Local press reported mid-June that the strike cost recruiting agencies up to 20,000 JD per day in lost revenues. Agencies that participated in the strike ceased all recruiting activities from June 4 to June 17. The GOJ did not respond to the strike, which ended without incident on June 17.

¶7. (C) PolOff and PolFSN met on June 7 with Ahmed Faouri, the Chairman of the Recruiting Agents' Association, who has been extremely vocal in his opposition to the new regulations, writing op-ed pieces and taking out full-page advertisements in local newspapers demanding to meet with the government. Faouri said that &all of the agencies⁸ are united against the new regulations. In an interview with the English-language Jordan Times, Faouri also called the measures "unjustified," and said that the increase in licensing fees would put many agencies out of business.

¶8. (C) In a June 22 meeting with PolOff and PolFSN, Yousef Sha'ban, Director of the new MOL Directorate for Foreign Domestic Workers admitted that the new domestic worker regulations had caused a slowdown in granting permits for FDW,s. In the 45 days before the Directorate was established, according to Sha'ban, 6000 workers were issued permits; since May 14, only 2000 have been processed. Sha'ban asserted the slowdown is also attributable to new personnel working at the Directorate who are more closely following regulations saying, "The agencies wish to work with the same people they worked with before, who would always give them permits without questions." Contradicting Faouri's statements, Sha'ban said that in fact some of the recruiting agencies are not standing with the Recruiting Agents' Association, and during the strike many approached him directly about how they could continue to operate.

¶9. (C) Comment: In the wake of the QIZ labor abuse revelations, the GOJ's clear intent is to better monitor employment of foreign domestic workers. However, the new regulations as currently enforced may restrict a worker's ability to pursue additional employment opportunities by working for multiple employers or by seeking seasonal employment, thereby reducing their earning capacity. Also, the current Labor Law does not apply to (nor protect) Jordanian domestic workers (Art. 3), which makes increased care in the regulation of recruiting practices all the more important. End Comment.